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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,287	04/02/2004	Ying Liu	893-011757-US (PAR)	2314
2512	7590	08/22/2007		
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			EXAMINER CHOWDHURY, AFROZA Y	
			ART UNIT	PAPER NUMBER
			2629	
			MAIL DATE	DELIVERY MODE
			08/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,287

Applicant(s)

LIU ET AL.

Examiner

Afroza Y. Chowdhury

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/5/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment received on **June 5, 2007** has been entered. Claims 1-25 are currently pending. Applicant's newly added claims and arguments are addressed herein below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification as originally filed does not provide support for newly added claim limitation for claim 5 "**is placeable in an arbitrary**".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4, 10-13, 16-18, and 21-24 are rejected under 35 U.S.C. 102(b) as being unpatentable over Ebrahimi (US Patent 6,424,743).

Regarding claims 1 and 17, Ebrahimi discloses an apparatus for handwriting recognition, the apparatus comprising:

a touch-sensitive display screen providing a handwriting input area capable of detecting a handwritten user input (abstract, col. 3, lines 26-30);

and a processing device configured to interpret the handwritten user input as a symbol from a plurality of predefined symbols (col. 3, lines 40-65, and fig. 2-5, 9(114), 10),

wherein the handwriting input area includes a writing start area (col. 1, line 65 – col. 2, line 12),

and wherein said writing start area (fig. 2(44,46)) is substantially smaller than said handwriting input area (fig. 2(42));

wherein the processing device is configured to provide a visual indication of said writing start area on said display screen (col. 1, line 65 – col. 2, line 12),

and wherein the processing device is configured to interpret the user input as a symbol only if the user input starts within said writing start area (col. 1, line 65 – col. 2, line 12).

As to claims 2 and 18, Ebrahimi teaches an apparatus having a user interface in which the display screen is included, wherein the processing device is configured to interpret the user input as a user interface control operation and not as a symbol if the user input starts outside of said writing start area (fig. 2-5, col. 3, lines 25-42, and col. 3, line 66 – col. 4, line 3).

Regarding claim 4, Ebrahimi teaches an apparatus wherein said writing start area has a fixed location within said handwriting input area (figs. 2, 3(44, 46)).

Regarding claims 10, 11, 21 and 22, Ebrahimi discloses an apparatus wherein said user input including at least one pen stroke and said processing device is configured to display, on said display screen, a graphical trace representing said at least one pen stroke prior to the interpretation thereof (fig. 7 and 8).

As to claims 12 and 23, Ebrahimi teaches an apparatus wherein plurality of predefined symbols includes a symbol set selected from the group consisting of: Latin characters, upper case characters, lower case characters, Arabic numerals, punctuation symbols, Cyrillic characters, Chinese characters, Japanese Kanji symbols, Japanese Hiragana characters and Japanese Katakana characters, and user-defined symbols (see fig. 4, Arabic numerals (1,2)).

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As to claims 13 and 24, Ebrahimi discloses an apparatus wherein plurality of predefined symbols including a first symbol set (fig. 2-5(a,1)), and a second symbol set (fig. 2-5(b,2)), and said writing start area comprising a first subarea (fig. 1(12), and fig. 2-5(42)) and a second subarea (fig. 1(12), and fig. 2-5(42)), wherein said processing device is configured to interpret the user input as a symbol from said first symbol set if the user input starts within said first subarea (fig. 7, 10-14), and as a symbol from said second symbol set if the user input starts within said second subarea (fig. 8, 10-14).

As to claim 16, Ebrahimi teaches an apparatus in the form of a portable/personal digital assistant (PDA) (col. 3, lines 18-20, fig.2).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 5-9, 14, 15, 19, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebrahimi (US Patent 6,424,743) and Seni (US 2004/02634486).

As to claims 3 and 19, Ebrahimi teaches inputting information using a stylus (col.5, lines 2-4) and display timer(col.5, lines 30-36). He does not teach to interpret the

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user input as a user interface control operation when pen down event does not followed by a pen move event within a prescribed time period. Seni discloses to interpret the user input as a user control operation when pen measurement is not detected ([0005], [0024], fig. 4(402), (404), (412)). Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate Semi's interface control operation into Ebrahimi's hand held device because this is an advancement for Ebrahimi's device to function both as a writing and a scrolling (mouse).

As to claims 6, 7, and 20, Ebrahimi discloses processing device (fig. 9(114)) and writing start area (col. 3, lines 25-29). He doesn't teach how to adjust "location". However, it would be obvious that an apparatus wherein said processing device is configured to adjust location of writing start area depending on a current cursor position (as Examiner best understood).

As to claims 8 and 9, Ebrahimi teaches writing areas (fig. 1(1), and col.3, lines 25-29) and display screen (fig. 1(2)). He doesn't explicitly teach the size of the display screen's available presentation area. However, it would be obvious that an apparatus as wherein said handwriting input area is formed by a majority of the display screen's available presentation area.

As to claims 14 and 25, Ebrahimi discloses a first and second subareas (fig. 1(12), and fig. 2-5(42)), but he failed to teach a third subarea for a third subarea system. However, it would be obvious to increase writing area by adding a third subarea in order to write more symbols.

As to claim 15, Seni teaches a mobile terminal for a mobile telecommunications system ([0003], [0020], [0004]).

Response to Arguments

8. Applicant's arguments filed on **June 5, 2007** have been fully considered but they are not persuasive.

Applicant is arguing that there is no discloser where the start area is considerably or substantially smaller than the handwriting input area. Examiner is referring to one of the two start areas (fig 2(44)) which is smaller than writing area (fig. 2(42)).

In response to applicant's argument that ***"does the possibility that combining any two inventors might result in an advancement provide 'motivation' to combine the references"***, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Applicant is also arguing that the writing area depends on the cursor position is not taught by Ebrahimi and Seni. However, this is well known in the art for writing start area to depend on the cursor position.

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9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afroza Y. Chowdhury whose telephone number is 571-270-1543. The examiner can normally be reached on 7:30-5:00 EST, 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

8/16/2007


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER